

## MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received:

Executive Office,

May 11th, 1897.

To the Senate:

Senate bill No. 362 is herewith returned without approval. It seeks to amend article 1537 of the Revised Statutes of 1895, by adding subdivision 13, the purpose being to authorize the commissioners courts to "compromise and compound all debts or claims that may be due or owing to their counties, upon such terms and conditions as may appear to them to be to the best interest of their counties." The emergency clause declares that it ought to pass because of "the importance of a law authorizing some officer or agent of a county to receive in satisfaction of a debt or claim due the county something other than the full amount in money, as suggested by the Supreme Court."

From this declaration and the other provisions of the bill it is clear that its object is to empower the commissioners court to compromise debts due counties, which of course, would authorize them to release and extinguish portions of such debt. Without reference to the policy of clothing these courts with such powers, it is sufficient objection to the bill that the Legislature is without authority to enact it. So much of section 55, article 3, of the Constitution as has application to the question provides that "the Legislature shall have no power \* \* \* to authorize the releasing or extinguishing, in whole or in part, the indebtedness, liability or obligation of any incorporation or individual \* \* \* to any county" in this State. It seems that the attention of the Supreme Court in the case referred to in the bill was not called to this provision of the Constitution.

G. A. CULBERSON.